

KING & SPALDING

January 13, 2023

VIA ECF

The Honorable Lorna G. Schofield
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007
(212) 805-0288

King & Spalding LLP
1185 Avenue of the Americas, 34th Floor
New York, NY 10036-4003
Tel: +1 212 556 2100
Fax: +1 212 556 2222
www.kslaw.com

Mark A. Kirsch
Partner
Direct Dial: +1 212 790 5329
Direct Fax: +1 212 556 2222
MKirsch@kslaw.com

Re: *Manbro Energy Corp. v. Chatterjee Advisors, LLC*, No. 20 Civ. 3773 (LGS) (S.D.N.Y.)

Dear Judge Schofield:

I write respectfully on behalf of Defendants regarding the Court's January 9, 2023 Order, Dkt. No. 301, which (among other things) seeks Manbro's position regarding the sealing of Exhibit A to the Declaration of Mark A. Kirsch in Opposition to Plaintiff's Motions *in Limine*. Defendants previously sought leave to file Exhibit A under seal, *see* Dkt. No. 274, and respectfully request that this exhibit remain sealed.

Exhibit A contains “[i]nformation . . . that [Defendants] reasonably and in good faith believe[] contains or would disclose non-public, confidential, proprietary, financial, . . . or commercially sensitive information.” Dkt. No. 51 § 1.3. Specifically, this exhibit includes confidential and personal information regarding non-party investors in Haldia Petrochemicals Ltd., which is also a non-party. *See* Dkt. No. 278-1. This information is properly regarded as confidential and subject to sealing. *See Kewazinga Corp. v. Google LLC*, 2020 WL 8224932, at *1 (S.D.N.Y. July 22, 2020) (granting request to file exhibits under seal “to prevent the unauthorized dissemination of the parties’ confidential business information . . . and third-party confidential business information and personal information”); *see also United States v. Amodeo*, 71 F.3d 1044, 1050 (2d Cir. 1995) (“the privacy interests of innocent third parties should weigh heavily in a court’s balancing equation” when deciding a motion to seal). The Court has previously granted motions to seal similar information, *see* Dkt. Nos. 94, 215, 302. Accordingly, Defendants respectfully request that Exhibit A remain sealed.

We thank the Court for its consideration of this request.

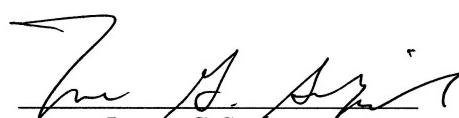
Respectfully,
/s/ Mark A. Kirsch
Mark A. Kirsch

Cc: All counsel of record (via ECF)

[Application GRANTED for substantially the reasons stated above.](#)

[The Clerk of Court is respectfully directed to maintain under seal all documents currently filed under seal.](#)

Dated: January 18, 2023
New York, New York



LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE